

Amendment No. _____

Signature of Sponsor

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Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 475*

House Bill No. 1362

by deleting from SECTION 6 the language "licensee's approved house rules" wherever it may appear and substituting "licensee's approved house rules or internal controls", and by adding the following new, appropriately designated subdivisions to SECTION 6:

() "Gross handle" means the total amount of gross wagers less cancelled or voided wagers received by the licensee over a specified period of time;

() "Gross wager":

(A) Means all cash and promotional wagers received by licensees from bettors as wagers; and

(B) Includes all wagers placed with cash, cash equivalents, promotional items, and all other media by which a bettor is allowed to place a wager;

() "Promotional payout" means a payout by a licensee to a bettor in a form that cannot be immediately withdrawn by the bettor as cash;

() "Promotional wager" means a wager placed by a licensee using a bonus or other non-cash item;

AND FURTHER AMEND by inserting the following new sections immediately preceding the last section and renumbering the last section accordingly:

SECTION 34. Tennessee Code Annotated, Section 4-49-102(1), is amended by deleting the subdivision.

SECTION 35. Tennessee Code Annotated, Section 4-49-104(a), is amended by deleting the second sentence of the subsection and substituting:



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Notwithstanding another state law to the contrary, a licensee shall only pay a privilege tax on its gross handle in accordance with this section.

SECTION 36. Tennessee Code Annotated, Section 4-49-104(b), is amended by deleting the subsection and substituting:

There is imposed upon the gross handle of a licensee a privilege tax of two percent (2%).

SECTION 37. Tennessee Code Annotated, Section 4-49-104(c), is amended by deleting the subsection and substituting:

The tax imposed under this section must be paid monthly by a licensee based on its gross handle for the immediately preceding calendar month, in accordance with rules promulgated by the council. A licensee shall not deduct from the gross handle winning payouts to bettors or promotional wagers or payouts. The council shall promulgate rules to specify the method by which a licensee must account for adjustments to the gross handle for wagers that are cancelled or voided.

SECTION 38. Tennessee Code Annotated, Section 4-49-104(d), is amended by deleting the language "a vendor" and substituting "an outside contractor".

SECTION 39. Tennessee Code Annotated, Section 4-49-116, is amended by deleting the section.

SECTION 40. Tennessee Code Annotated, Section 4-49-102, is amended by deleting subdivision (17).

SECTION 41. Tennessee Code Annotated, Section 4-49-124(a), is amended by deleting the subsection.

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AMEND Senate Bill No. 1309

House Bill No. 1453*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 70-4-134, is amended by adding the following new subsection:

(e)

(1) Notwithstanding this section to the contrary, and unless otherwise prohibited by federal law, a person who resides on property that adjoins the Great Smoky Mountains National Park may take, attempt to take, or harm a bear that enters onto the person's property if the bear acted in a manner that caused:

(A) The person to have a reasonable belief that the bear's action placed the person in imminent danger of death or serious bodily injury;

(B) The person to believe the danger creating the threat of imminent death or serious bodily injury is real, or is honestly believed to be real at the time; and

(C) The belief of danger to be founded upon reasonable grounds.

(2)

(A) A person shall notify the agency within twenty-four (24) hours after killing or seriously injuring a bear pursuant to this section if the person is reasonably able to notify the agency.

(B) A bear must not be removed from the site, repositioned, retained, sold, or transferred without authorization from the agency.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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AMEND Senate Bill No. 639

House Bill No. 407*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 69-9-227(a), is amended by adding the following subdivision:

() "In the aggregate" means the number of nonmotorized vessels by type rented in each agency region;

SECTION 2. Tennessee Code Annotated, Section 69-9-227(b)(1), is amended by deleting the subdivision and substituting the following:

(1) The commission may establish rules, regulations, permits, and procedures regulating only those commercial operations that:

(A) Lease or rent nonmotorized vessels for noncommercial use by the public on the waters of Tennessee; and

(B) In conducting the uses under permit described in subdivision (b)(1)(A), utilize vessel launches or ramps, or other property, owned or managed by the agency.

SECTION 3. Tennessee Code Annotated, Section 69-9-227(b)(2), is amended by deleting the word "or" at the end of subdivision (b)(2)(A), adding the following as a new subdivision (b)(2)(B), and redesignating the existing subdivision (b)(2)(B) accordingly:

(B) Apply to commercial operations permitted by the department of environment and conservation pursuant to a commercial use authorization under § 11-1-118, or other law; or



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SECTION 4. Tennessee Code Annotated, Section 69-9-227(c)(2), is amended by deleting the subdivision and substituting:

(2) No later than January 15, 2024, and every January 15 thereafter, an outfitter shall submit an annual report from the agency-required records for uses under permit that occurred during the immediately preceding calendar year. The agency shall accept a report that is submitted as early as December 15 of the year in which the information contained in the report occurred; provided, that the outfitter submitting the report ceased engaging in uses under permit that are required to be reported under this section for the remainder of the year prior to submitting the report. If a report is incomplete, the agency shall provide written notice requesting additional information to the outfitter that submitted the report and the outfitter has thirty (30) days to submit additional information to the agency.

SECTION 5. Tennessee Code Annotated, Section 10-7-504(a), is amended by adding the following as a new subdivision:

(34)

(A)

(i) The following are confidential and not open for inspection by members of the public:

(a) All proprietary information submitted to the wildlife resources agency as part of an application for a permit, or renewal of a permit, to engage in a commercial operation that leases or rents nonmotorized vessels for noncommercial use by the public on the waters of Tennessee, as defined in § 69-9-227; and

(b) Records, other than application materials described in subdivision (a)(34)(A)(ii)(a), containing proprietary information provided to the wildlife resources agency by an outfitter who

leases or rents nonmotorized vessels for noncommercial use by the public on the waters of Tennessee, as defined in § 69-9-227.

(ii) As used in this subdivision (a)(34), "proprietary information":

(a) Means commercial or financial information that is used either directly or indirectly in the business of a person or company submitting information to the wildlife resources agency, and that gives the person an advantage or an opportunity to obtain an advantage over competitors who do not know of or use the information; and

(b) Includes, but is not limited to, information on the number and type of nonmotorized vessels leased each day and daily ridership data.

(B) Subdivision (a)(34)(A) does not limit:

(i) Access to information made confidential pursuant to subdivision (a)(34)(A):

(a) By law enforcement agencies, courts, or other governmental agencies performing official functions; or

(b) When an outfitter expressly authorizes the release of the information; or

(ii) The release of a record made confidential pursuant to subdivision (a)(34)(A) to persons identified within the record, unless the record is subject to a legal privilege against disclosure.

(C) This subdivision (a)(34) is repealed effective July 1, 2033.

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.